

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 26-43 have been cancelled in favor of new claims 44-67. Support for the subject matter of the new claims is provided for example in the original claims and paragraph [0084] of the published specification. New claims 26-43 have been drafted to avoid the issues underlying the indefiniteness rejections applied to claims 26-43. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 26-43 were rejected, under 35 USC § 102(e), as being anticipated by Texerman et al. (US 2004/0141522). To the extent that these rejections may be deemed applicable to new claims 44-67, the Applicant respectfully traverses as follows.

Claim 44 defines a reception device of a first radio communication terminal that: (1) acquires a header of data communicated from a second radio communication terminal to a third radio communication terminal and (2) refers to this acquired header when processing data received without a header from the second radio communication terminal. The claimed subject matter provides an advantage of reducing the transmission of overhead data and improving transmission efficiency (see specification page 6, line 21, through page 7, line 2).

It is submitted that Texerman does not disclose the Applicant's claimed subject matter of a first radio communication terminal that acquires a header of data communicated from a second radio communication terminal to a third radio communication terminal. Although Texerman discloses a TDMA system, a radio communication terminal of a conventional TDMA system

does not acquire a header of data communicated between other radio communication terminals of the system; instead, it only acquires headers and data communicated to itself. Given that Texerman does not disclose the Applicant's claimed subject matter of a first radio communication terminal that acquires a header of data communicated from a second radio communication terminal to a third radio communication terminal, it necessarily follows that Texerman cannot disclose the Applicant's claimed subject matter of referring to this acquired header when processing data received without a header from the second radio communication terminal. Thus, Texerman does not identically disclose the instant claimed subject matter as would be required to support a rejection under 35 USC 102.

Accordingly, the Applicant submits that Texerman does not anticipate the subject matter defined by claim 44. Independent claim 66 similarly recites the above-mentioned subject matter distinguishing apparatus claim 44 from Texerman's disclosure, but with respect to a method. Independent claim 55 defines a transmission device corresponding to the reception device defined by claim 44, and independent claim 67 defines a transmission method corresponding to the reception method defined by claim 66. Thus, independent claims 55 and 67 distinguish over Texerman's disclosure for reasons similar to those discussed above in connection with claim 44. Therefore, allowance of claims 44, 55, 66, and 67 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: December 14, 2009
JEL/DWW/att

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